

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

# **HOUSE BILL 2213**

AN ACT

AMENDING SECTION 16-543, ARIZONA REVISED STATUTES; RELATING TO EARLY VOTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 16-543, Arizona Revised Statutes, is amended to  
3 read:

4       16-543. Application for ballot: United States service:  
5           emergency procedures

6       A. Any absent uniformed services voter or overseas voter as defined in  
7 the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410;  
8 42 United States Code section 1973ff-6), as amended by the Ronald W. Reagan  
9 national defense authorization act for fiscal year 2005 (P.L. 108-375), may  
10 request an early ballot with a federal postcard application that contains  
11 both an early voter registration application and an early ballot application.  
12 The secretary of state shall provide for a centralized system for receiving  
13 federal postcard applications by way of the internet or fax and shall provide  
14 for transmitting appropriate ballot materials in response to fax, telephone  
15 and internet requests for federal postcard applications. On receipt of such  
16 application, the county recorder or other officer in charge of elections  
17 shall determine whether or not the elector is registered. If the applicant  
18 is so registered, the recorder or other officer in charge of elections shall  
19 forward to the applicant an official early ballot. If the applicant is not  
20 registered, and the request is for a ballot for use in a county election but  
21 the federal postcard application is complete, the recorder shall forward an  
22 official early ballot to the applicant. If the applicant is not registered  
23 to vote and the federal postcard application is not used or complete, the  
24 recorder shall forward an affidavit of registration as provided in section  
25 16-103 and shall forward at the same time to the unregistered applicant an  
26 official early ballot and affidavit.

27       B. The county recorder or other officer in charge of elections shall  
28 transmit by fax or by other electronic format approved by the secretary of  
29 state early ballot request forms, unvoted ballots and ballot information to  
30 eligible absent uniformed services voters and overseas voters. The county  
31 recorder or other officer in charge of elections shall provide for receipt of  
32 completed early ballot requests and voted early ballots by fax **OR OTHER**  
33 **ELECTRONIC FORMAT** as prescribed by the secretary of state in the instructions  
34 and procedures manual issued pursuant to section 16-452.

35       C. The secretary of state shall provide in the **INSTRUCTIONS AND**  
36 procedures manual **adopted ISSUED** pursuant to section 16-452 for emergency  
37 procedures regarding the early balloting process for persons who are subject  
38 to the uniformed and overseas citizens absentee voting act of 1986  
39 (P.L. 99-410; 42 United States Code section 1973ff), as amended by the  
40 Ronald W. Reagan national defense authorization act for fiscal year 2005  
41 (P.L. 108-375). These emergency procedures may be implemented only on the  
42 occurrence of a national or local emergency that makes substantial compliance  
43 with the uniformed and overseas citizens absentee voting act impracticable,  
44 including occurrences of natural disasters or armed conflict or mobilization  
45 of the national guard or military reserve units of this state.